

IN THE FRANKLIN COUNTY MUNICIPAL COURT
ENVIRONMENTAL DIVISION
COLUMBUS, OHIO

CITY OF COLUMBUS,
Plaintiff,
v.
EASTLAND MALL HOLDINGS, L.L.C.
Defendant(s).
FILED
Franklin Co. Municipal Court
JUN 14 2022
CASE NO. 2021 EVH 060179
JUDGE STEPHANIE MINGO
By Chris M. Tyack, Clerk
Deputy Clerk
JUDGMENT ENTRY

This matter came before the Court on June 13, 2022 for hearing upon Plaintiff's *Verified Complaint for Injunctive Relief*. Plaintiff was represented by Christopher Clark and Sarah Pomeroy. Defendant, Eastland Mall Holdings, LLC was represented by Adam Beane.

After consideration of evidence adduced through sworn testimony and Plaintiff's exhibits A through AQ and Defendant's exhibit A1 duly admitted, the Court finds the subject property not to be in compliance with Columbus City Code. The Court finds that the real property located at 2677 Hamilton Rd, Columbus Ohio 43232 is a public nuisance in that it is not in compliance with applicable City of Columbus building and housing codes, to include Titles 7 43, 45 and 47 and that the subject structure, known as Eastland Mall, is unsafe as well as the parking lot.

The Court further finds that Defendant(s) and any successors and heirs are permanently enjoined from maintaining a public nuisance at the subject property or any other property in Franklin County.

This Court orders Defendant to bring the property into compliance and maintain it in compliance with all applicable laws and codes pursuant to the following schedule:

1. All parking lot striping violations and potholes shall be abated and complied no later than August 13, 2022.
2. All other code violations including but not limited to:

litter and solid waste, high grass and weeds, noncompliant graphics, graffiti, lighting, broken concrete, wall overhang, mortar voids shall be abated and brought into compliance by July 13, 2022.

3. Defendants to conduct daily litter pickup on the entire grounds of the premises. Said pick up shall include areas around bulk containers, to ensure all trash and litter is placed into a proper refuse container.
4. Defendants to conduct biweekly maintenance of the grass and weeds on the property or as needed to maintain the property in compliance at all times with Code.

Further, this Court orders that forthwith Defendant maintain compliance with it's current site plan and only operate business as permitted within the current site plan unless or until another site plan is submitted and approved by the Department of Building and Zoning.

If the property is not brought into compliance in accordance with the above compliance schedule, the Plaintiff is authorized to enter upon the subject property and abate the nuisance at Defendant's expense. Any expenses incurred by the Plaintiff in abating the nuisance may be recovered from Defendant by any means authorized by law, to include certification of the unpaid cost of abatement to the Franklin County Auditor for inclusion in Defendant's tax duplicate. This Court further authorizes the Plaintiff to conduct any necessary environmental testing and to raise and demolish all structures on the subject property at Defendant's expense if the property is not brought into compliance as ordered by the Court.


A *Contempt Hearing* is hereby scheduled for September 22, 2022, at 12 p.m. to determine if Defendant(s) abated the nuisance.

THIS IS A FINAL APPEALABLE ORDER.

Pursuant to Ohio Civ. R. 58, the Clerk is hereby directed to serve upon all parties not in default notice of this Judgment and its date of entry upon the journal.

IT IS SO ORDERED

6/13/22
DATE


JUDGE STEPHANIE MINGO